

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE
2005 FEB -3 P 12:23

U.S. DISTRICT COURT
DISTRICT OF MASS.

Steven Gomes Lobo
Petitioner,

No.: _____

vs.

Judge Murphy; Attorney
William Flynn; and the
MASSACHUSETTS BOARD OF
PROBATION AND PAROLE, Et. Al.
Defendant(s).

05-10281 NG

Referred to MJ JG Deir

MOTION FOR DEFAULT JUDGMENT
UNDER CIVIL RULE 55(a).

NOW COMES, MOVANT, Steven Gomes Lobo, hereinafter "Petitioner", hereby moves this Honorable Court to enter Judgment by Default, under Rule 55(a)(1), by the Clerk, and this Court for the following reasons:

1) On October 7, 2003, Petitioner executed Request for Proof of Claim, in the Case/Account #BRCR 1995-36666, Certified Mail No.: 7000 1530 0004 1981 4931, To: BRISTOL COUNTY SUPERIOR COURT, the Respondents were required to respond to this PRIVATE NOTICE, in Ten (10) days, or Respondent will be in agreement with this said NOTICE, and that silence will be interpreted as guilt/default hereof. See (Exhibit-A).

2) October 31, 2003, Petitioner, sent NOTICE OF DISHONOR WITH NOTICE TO CURE, Certified Mail No.: 7000 0520 0024 2133 0955, in this document Defendant(s), were given another opportunity to CURE their DISHONOR, within Ten (10) days, or be in DEFAULT. See (Exhibit-B).

3) December 29, 2003, Petitioner sent a NOTICE, with CAVEAT, setting forth under Title 27 C.F.R. §72.11, that all crimes are in fact

Commercial in Nature, and once again Petitioner, had requested to be informed of the Nature and Cause of any claims against STEVEN GOMES LOBO, in addition to the claims the Real Party of Interest must produce a) Certified copy of the Maritime Contract; b) Notice of Maritime Tort Claim; c) and the Required Bond, posted by the party or parties opposed to STEVEN GOMES LOBO, in the Case/Account of BRRCR 1995-36666, Certified Mail No.: 7000 0520 0024 2133 8890, and Defendant(s) once again were given Ten (10) days in which to respond. See (Exhibit-C).

4) Petitioner filed a BOND, in the Case/Account #BRRCR 1995-36666, in the BRISTOL COUNTY SUPERIOR COURT, this Bond was Notarized, and filed and received by Court Clerk Marcel W. Gautreau, on Feb. 23, 2004, See (Exhibit-D).

5) May 24, 2004, Petitioner, sent a NOTICE, to Clerk Magistrate Marcel W. Gautreau, Certified Mail No.: 7004 0750 0001 7767 7644, Petitioner requested that this instant case and account be closed and the Detainer be removed, and notify the Bureau of Prisons of the same, or Discharge the Bond back to petitioner immediately, therefore since the Bond was never returned this is proof that this Court and it's Defendant's accepted payment and exchange, in lieu of the Bond. See (Exhibit-E). In addition Defendant never again responded.

6) On June 4, 2004, Bristol Superior Court sent Petitioner a NOTICE OF DOCKET ENTRY, See (Exhibit-F), This Court states that it doesn't have the slightest notion of what is being requested, this is plain truth that this Court is attempting to obstruct justice, and is moreover in Default, due to Prima Facie Evidence.

7) Petitioner wrote Marcel W. Gautreau, a letter Certified Mail No.: 7004 0750 0001 7768 0237, requesting once again in good faith that this Court Release the Detainer from STEVEN GOMES LOBO, immediately and another Ten (10) days were given to the Defendant's to do this, or be subject to Default. See (Exhibit-G).

8) On June 18, 2004, Petitioner sent Marc J. Santos, a letter Certified Mail No.: 7004 0750 0001 7767 9118, again your Petitioner in good faith gave chance after chance, for Defendant's to either discharge the Bond, or release the detainer, and send same to the Bureau of Prisons, but to no avail, yet another Ten (10) days were given to the Defendant's to respond. See (Exhibit-H).

9) Document dated September 10, 2004, "CLERK'S NOTICE", that was sent by the Defendant's to your Petitioner, was a clear and concise attempt to misconstrue the Petitioner, and moreover, to avoid the facts by Justice Richard F. Connon, due to Justice Connon, hereinafter one of the Defendant's, is guilty of obstruction of justice, and Aiding and Abetting to commit Fraud upon the Court's, and on this Petitioner. See (Exhibit-I).

10) On September 23, 2004, your Petition drafted another letter to the Superior Court of Bristol, addressing the issue that the Defendant Justice Richard F. Connon, had misconstrued Petitioner's letter, refer to Certified Mail #7004 0750 0001 7768 0237, as a Writ of Habeas Corpus, and once again Petitioner requested that the Court release him from this instant detainer. See (Exhibit-J).

11) Petitioner, then sent ACTUAL AND CONSTRUCTIVE NOTICE, along with ADMINISTRATIVE AND JUDICIAL NOTICE OF INTEREST, both of these were sent to the Defendant's on May 13, 2004, See (Exhibit-K/1: Certified Mail No.: 7004 0750 0001 7767 8685), this document was to Charge the Petitioner's UCC Contract Treasury Trust regarding the Case/Account of BRGR 1995-36666, See the Attachments; And See (Exhibit-K/2: Certified Mail No.: 7004 0750 0001 7767 2447), this Four Page's of Exhibit's show Proof that Petitioner is the Holder-In-Due-Course, of the Case/Account in question, and that your Petitioner has never received any consideration in the above referenced Case/Account due to the Defendant's being in Default to the instruments hereof.

12) AFFIDAVIT - NOTICE OF DEFAULT, was filed on November 10, 2004, and the Respondent was given Seventy-Two (72) hours to Cure Default,

this NOTICE OF DEFAULT, was in fact Notarized, and executed on the 3rd day of December, 2004. Certified Mail No.: 7004 0750 0001 7768 3986, See (Exhibit-L).

13) Then on November 22, 2004, Petitioner, filed a FREEDOM OF INFORMATION ACT REQUEST, in reference to the Case/Account #BRCR 1995-36666, to the Disclosure Officer, at Bristol Superior Court, in this F.O.I.A. request the Petitioner, had requested 11 items, however, to this day and present time Defendant's have given no response to the information request. See (Exhibit-M).

14) Petitioner filed NOTICE OF DISHONOR, FORMAL CERTIFICATE OF PROTEST AND NON-RESPONSE, Invoice No.: 70040750000177683986, this instrument was Notarized, and sent to the Defendant's for the purpose of protest of the non-response of the NOTICE OF DEFAULT. See (Exhibit-N), to this present date and time the Defendant's never made any attempt to resolve, respond, or remove the detainer in this instant action, therefore, this Petitioner brings this instant matter before this very Court to seek DEFAULT JUDGMENT.

Due to the Defendant's non-response and their out right deliberate failure that has left this Petitioner injured by a Detainer concerning the case/account mentioned in this motion, this petitioner reserves his right to suit in this instant matter and to hold the individuals for causing him injury, and moreover obstructing justice, perjury, and extortion of his property, and interfering with Petitioner's protected Liberty interst.

RELIEF REQUESTED

Petitioner, requests that this Honorable Court grant him this Motion For Default Judgment, and the relief he is requesting is that this Detainer be lifted, and or the detainer along with the case/account's be vacated by Order of this Court.

And if the Order of this Court is granted to this petitioner, then the petitioner will give up the right for suit, and strict enforcement of collection in the aforesaid matter.

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CERTIFICATE OF SERVICE

I, Steven Gomes Lobo, hereinafter "Petitioner", do hereby certify that I have caused a true, correct, and complete copy of this **MOTION FOR DEFAULT JUDGMENT, UNDER CIVIL RULE 55**. To the following, by Certified Pre-Paid Postage:

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
UNITED STATES COURTHOUSE
1 COURTHOUSE WAY
SUITE 9200
BOSTON, MASSACHUSETTS, 02210.

Certified Mail No.: 7004 0750 0001 7769 3671.

Respectfully,

Steven Gomes Lobo, Auth. Rep.
Steven Gomes Lobo
Reg. No.: 23638-038
FCI FAIRTON, P.O. BOX 420
Fairton, NJ 08320.

Dated: 1/27/ January 27th, 2005.